

FILED

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JUL 26 2021
CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY *[Signature]*
DEPUTY CLERK

Pro se

5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**

8 Fernando Gastelum,

9 Plaintiff,

10 vs.

12 Jackson Iv LLC dba Hampton Inn &
13 Suites Sacramento at CSUS,

14 Defendant.

Case No.: 1:21CV01130 NONE
SKO

COMPLAINT

RECEIVED

7/26/2021

CLERK U.S. DISTRICT COURT
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BY *[Signature]*
DEPUTY CLERK

16 **I. STATEMENT OF CLAIM**

- 17 1. My name is Fernando Gastelum. I am 61 years old. I am missing a leg
18 and use a wheelchair for mobility.
- 19 2. Defendant owns or operates a hotel at 1875 65th Street, Sacramento,
20 California 95819 (Hotel).
- 22 3. I booked an accessible room at the Hotel for the night of June 30, 2021.
- 23 4. When I came to the Hotel, I noted that it was not compliant with the
24 Americans with Disabilities Act and the California's civil rights laws:
25
 - 26 a. Cabinets in guest room require pinching and tight grasping to open
27 This condition makes it more difficult for me to open the cabinets.

1 b. Doors require twisting of the wrist. This condition makes it more
2 difficult for me to open the doors from my wheelchair.
3 c. Shower requires two hands to operate This condition makes it more
4 difficult for me to operate it in light of my prosthetic leg.
5 d. Doors require greater than five lbs of force. This condition makes it
6 more difficult for me to open the doors from my wheelchair position.
7 e. Unsecured carpets. This condition makes it more difficult to roll the
8 wheelchair over uneven surface.
9 f. No dispersion of accessible parking to all accessible entrances.
10 This condition makes it more difficult for me to access accessible
11 entrances from accessible parking.
12 5. I was denied equal access to the Hotel because the Hotel did not comply
13 with disability and civil rights laws.
14 6. I will not return back to the Hotel until it becomes fully compliant with
15 federal and state disability laws.
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II. RELIEF I REQUEST

21 1. Order Defendant to comply with the ADA and California law or close its
22 Hotel.
23
24 2. Order Defendant to pay my cost and expenses. If I retain a lawyer, then
25 also my lawyer's fees.
26
27 3. Damages under California law for \$4,000 per violation for a total to be
28 determined at a hearing.
29
30 4. Other relief that I am entitled to.

1 **III. REQUEST FOR JURY TRIAL**

2 I request a jury trial.

3 DATED this 20th day of July, 2021

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5 Fernando Gastelum

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